

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of)

Revision of the Commission's)
Rules to Ensure Compatibility)
With Enhanced 911 Emergency)
Calling Systems)

CC Docket No. 94-102
RM-8143

MAR 17 1995

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

To: The Commission

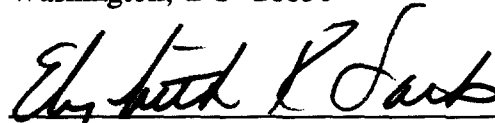
**REPLY COMMENTS OF THE
AMERICAN MOBILE TELECOMMUNICATIONS ASSOCIATION, INC.**

Respectfully submitted,

**AMERICAN MOBILE TELECOMMUNICATIONS
ASSOCIATION, INC.**

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The American Mobile Telecommunications Association, Inc. ("AMTA" or "Association"), in accordance with Section 1.415 of the Federal Communications Commission ("FCC" or "Commission") Rules and Regulations, respectfully submits its Reply Comments in the above-entitled proceeding.¹ Consistent with the record in this proceeding, AMTA urges the Commission to delay adoption of a wireless E-911 implementation plan, pending further industry review of the issues involved. Moreover, the Association recommends that traditional SMR operators offering limited interconnection capability should be excluded from whatever E-911 requirements are adopted for the Commercial Mobile Radio Services ("CMRS").

I DISCUSSION

In its Comments in this proceeding, AMTA suggested that the FCC's proposed implementation schedule for requiring all CMRS systems offering access to real-time voice services provided on the public switched network to make enhanced 911 services available to their subscribers was not achievable. The Association detailed a number of technical and operational difficulties applicable to the Commission's proposal which demanded further review,

¹ Notice of Proposed Rule Making, CC Docket No. 94-102 (adopted Sept. 19, 1994 and released Oct. 19, 1994) ("NPR" or "Notice").

and strongly recommended that the Commission delay action until the agency and industry were able to address those matters satisfactorily.

AMTA also suggested that the FCC exclude certain CMRS services entirely from wireless E-911 obligations if their inclusion would not promote the public interest goals articulated. Specifically, the Association recommended that traditional, local Specialized Mobile Radio ("SMR") operators not be required to offer E-911 service in light of their business, rather than consumer, subscriber orientation and the limited interconnection capabilities of such systems.

AMTA's positions were consistent with those of numerous parties in this proceeding. Virtually all entities representing wireless interests characterized the Commission's proposed implementation plan as premature from both a technical and public policy perspective, and urged greater reliance on a combined government/industry initiative.² These parties highlighted the complex equipment and system integration issues that will require resolution prior to implementation of the FCC's plan. Indeed, most of these entities cautioned the Commission against assuming that existing E-911 capabilities on the wired network could simply be cloned in the wireless environment.

A number of parties also detailed the substantive differences between the typical subscriber on a business-oriented system offering dispatch and interconnected capability versus the consumer using wired E-911 or even wireless cellular service.³ Those comments explained that radio fleets in that environment communicated routinely with the system dispatcher, and that

² See e.g. Comments of Cellular Telecommunications Industry Association ("CTIA"), E. F. Johnson Co. ("EFJ"), Motorola, Inc. ("Motorola") and Nextel Communications, Inc. ("Nextel").

³ See e.g. Comments of EFJ, Motorola and Geotek Communications, Inc. ("Geotek").

the dispatcher was optimally situated to handle requests for emergency action. Adding an E-911 requirement to those services would greatly increase the cost and complexity of the systems without advancing the Commission's goal of fast, reliable response to emergency situations.

For those reasons, AMTA and other parties recommended that the promotion of compatibility between wireless services and E-911 systems, an indisputably important goal, should be an evolutionary process, with appropriate benchmarks developed cooperatively by industry and the Commission. Such an effort would promote the likelihood that system requirements are technically, operationally and economically feasible, and would limit their applicability to services in which the availability of E-911 would serve an otherwise unsatisfied public interest objective. The Commission's decision in this proceeding should reflect the broad consensus on this aspect of its proposal.

By contrast, AMTA does have concerns about the position adopted by the National Association of Regulatory Utility Commissioners ("NARUC"). NARUC requests that the Commission's regulations permit states to adopt additional technical standards and/or more stringent rules for private switch ("PS") automatic location identification ("ALI").⁴ NARUC's Comments are silent regarding state involvement in wireless E-911 regulation.

AMTA expresses no position on the appropriate balance between federal versus state PS ALI regulation. However, should NARUC seek to extend state regulatory authority to wireless E-911 capabilities, the Association would object strenuously. The FCC's preemption authority in such areas is beyond question. Notice at FN 57. Regulation of such matters on a state-by-state basis would create innumerable, likely unresolvable equipment problems, thereby thwarting the national goal of achieving broad compatibility with E-911 systems. Therefore, the

⁴ NARUC Initial Comments at pp. 5-7.

Association urges the Commission to confirm its intention to preempt any inconsistent state action regarding wireless E-911 capability at the earliest opportunity.

For the reasons described herein, AMTA recommends that the FCC rely on cooperative government/industry efforts to develop a technically feasible implementation plan for integration of wireless services and E-911 systems, that traditional SMR systems be excluded from any such requirements, and that the Commission preempt any state regulation of wireless E-911 capability.